UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,167	12/29/2000	Shin Yamaguchi	36.P289	7019

			EXAMINER
5514	7590	04/05/2006	OUELLETTE, JONATHAN P

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ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/750,167	YAMAGUCHI ET AL.
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20, 22-39, 41-57 and 59* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20, 22-39, 41-57 and 59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 May 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-20, 22-39, 41-57, and 59 are currently pending in application 09/750,167.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been obvious at the time the invention
> was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability
> shall not be negatived by the manner in which the invention was made.

3. **Claims 1-8, 15-17, 20, 22-27, 34-36, 39, 41-46, 52-54, 57, and 59 are rejected under 35**

U.S.C. 103(a) as being unpatentable over Cipolla et al. (US 6,275,656 B1) in view of

Masaya (JP 2000/228740), and further in view of Isobe et al. (US 5,088,586).

4. As per **independent Claims 1 and 15**, Cipolla discloses a method [computer-executable

process stored on a computer-readable medium] of renting removable digital storage

media (equivalent to the purchase of a one-time use digital camera/vending, because the

user purchases the rights to use the camera one-time before returning it for processing,

C5 L7-13, C11 L52-55) for use with a digital image acquisition device (C5 L7-13,

storage media part of one-time use camera), the method comprising [code to process] the

steps of: loaning a removable digital storage medium to a customer for insertion into a

digital image acquisition device and for storage of digital image data captured by a image

acquisition device (Fig.2a, C11 L31-55, user purchases one-time use digital camera –

includes storage medium/film unit); receiving, upon return, the removable digital storage

medium from the customer (C9 L27-40, Fig.4, input device; C12 L67, C13 L1-2, film

unit tendered for photofinishing).

5. Cipolla does disclose saving and deleting data contained on the digital film unit (C14);

however, Cipolla fails to expressly disclose erasing digital image data contained on the

returned removable digital storage medium; <u>wherein said erasing step is executed by the</u>

<u>customer when the removable digital storage medium is returned</u>.

6. However, Masaya discloses a digital camera recycling system, wherein the data from the

memory is deleted once the camera is returned and the processing of the data completed.

As described in the specification of the instant application:

> *"When the customer has finished selecting processing services, option 579 (end button)*
>
> *is selected to indicate the customer is finished. At this time the storage media is erased so*
>
> *as to prevent a later customer from having access to the images stored on a previously*
>
> *rented storage media."*

7. The system described by Masaya is equivalent to that of the instant invent, wherein the

user activates the erasing step *inadvertently* by completing the photofinishing transaction

(drop of media and indicate finishing preferences) with the system (translation abstract).

8. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included erasing digital image data contained on the returned

removable digital storage medium; <u>wherein said erasing step is executed by the customer</u>

<u>when the removable digital storage medium is returned</u>, as disclosed by Masaya, in the

system disclosed by Cipolla, for the advantage of providing a method of renting/loaning

digital storage equipment with the ability to increase system efficiency and cost savings

by recycling expensive merchandise through multiple loaning cycles.

9. Furthermore, although Cipolla discloses returning the film unit to the user with the

processes data (C13 L10-12), the system of Cipolla is meant to encompass both a film

unit (film) and a digital film unit (memory card); wherein the processed film unit

(negatives) would be returned to the customer/use, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to recycle the digital film unit

(memory of the one-time use camera) for future customer user, as disclosed by Masaya

(translated abstract), for the purposes of saving money by recycling the expensive

components of the system (Cipolla: C5 L7-13, digital medium – memory card, integrated

camera memory).

10. Finally, Cipolla does disclose wherein the system maintains user information in

connection with film unit identifier (C9 L27-67); however, neither Cipolla nor Masaya

expressly disclose maintaining information associated with the loan and return of the

removable digital storage medium and the customer.

11. Isobe discloses maintaining information associated with the loan and return of the

removable digital storage medium (C7 L49-61) and the customer (C5 L1-13, Return; C7

L15-30, Rental) in an automated rental system.

12. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included maintaining information associated with the loan

and return of the removable digital storage medium and the customer, as disclosed by

Isobe, in the system disclosed by Masaya, in the system disclosed by Cipolla, for the

advantage of providing a method of renting/loaning digital storage equipment with the
ability to increase system efficiency/effectiveness by tracking the loaned assets for
inventory control and loss prevention purposes.

13. As per Claim 2, Cipolla, Masaya, and Isobe disclose wherein the removable digital
storage medium is lent at a first rental location (retail site) and received at a second rental
location (Cipolla: photo-finishing site).

14. As per Claim 3, Cipolla, Masaya, and Isobe disclose wherein the first rental location and
the second rental location are the same location (Cipolla: one-time use camera could be
sold at photo-finishing site).

15. As per Claim 4, Cipolla, Masaya, and Isobe disclose wherein the first rental location and
the second rental location are different locations (Cipolla: one-time use camera could be
sold at a retailer separate from the photo-finishing site).

16. As per Claim 5, Cipolla, Masaya, and Isobe disclose wherein the removable digital
storage medium is associated with an identification code (Cipolla, C5-C6; Isobe: C3 L19-
32, article number, bar code).

17. As per Claim 6, Cipolla, Masaya, and Isobe disclose wherein the identification code
associated with the removable digital storage medium is securely stored on the removable
digital storage medium, and is not erased in said erasing step (Cipolla, C5-C6; Isobe: C3
L19-22, physically attached bar code).

18. As per Claim 7, Cipolla, Masaya, and Isobe disclose wherein the maintaining step further
comprises assigning the identification code to the removable digital storage medium
(Isobe: C3 L19-32, saving article number to database).

19. As per Claim 8, Cipolla, Masaya, and Isobe disclose wherein the maintaining step further
comprises: assigning an identification code to the customer; associating the identification
code of the removable digital storage medium with the identification code of the
customer when the customer is lent the removable digital storage medium; and
dissociating the identification code of the removable digital storage medium and the
identification code of the customer when the removable digital storage medium is
received from the customer (Isobe: Renting/Return Process, C4 L51-67, C5 L1-13, C7
L15-30).

20. As per Claim 16, Cipolla, Masaya, and Isobe disclose wherein the processing step further
comprises making the digital data contained on the received removable digital storage
medium available to the customer (Cipolla: C13 L1-18, Final images returned to
customer).

21. As per Claim 17, Cipolla, Masaya, and Isobe disclose wherein the processing step further
comprises the steps of: transferring the digital data contained on the removable digital
storage medium; and providing the other digital storage medium containing the
transferred data to the customer (Masaya: Translated Abstract, supplies read data to user
in a desired output).

22. As per Claim 20, Cipolla, Masaya, and Isobe disclose wherein the digital data is digital
image data, and wherein the processing step further comprises printing the digital data
contained on the removable digital storage medium received from the customer using an
image forming apparatus (Cipolla: C4 L35-39, C13 L1-18).

23. As per Claim 22, Cipolla, Masaya, and Isobe disclose wherein the processing step further comprises the step of verifying the functionality of the received removable digital storage medium (Masaya: Translated Abstract, part of recycling process).

24. **As per independent Claims 23, 34, 42, and 52,** Cipolla discloses a computer-executable process stored on a computer-readable medium [system], the computer-executable process steps to effect rental of a removable digital storage medium (equivalent to the purchase of a one-time use digital camera/vending, because the user purchases the rights to use the camera one-time before returning it for processing, C5 L7-13, C11 L52-55) [at a first rental location] (Retail location) to a customer for insertion into a digital image acquisition device and storage of digital image data captures by the digital image acquisition device (C5 L7-13, storage media part of one-time use camera) and to receive, upon return [to a second rental location] (Photo-finishing unit), the removable digital storage medium from the customer (C9 L27-40, Fig.4, input device; C12 L67, C13 L1-2, film unit tendered for photofinishing); the system comprising a processing system [code] for processing the digital image data on returned ones of said rented removable digital storage media (C13 L1-7, receive and process).

25. Cipolla does disclose saving and deleting data contained on the digital film unit (C14); however, Cipolla fails to expressly disclose a processing system [code] for processing the digital image data on returned ones of said rented removable digital storage media including <u>an</u> erasure <u>subsystem for erasure</u> of digital image data thereon; <u>wherein said erasure subsystem [code] is configured for activation by the customer.</u>

26. However, Masaya discloses a digital camera recycling system, wherein the data from the

memory is deleted once the camera is returned and the processing of the data completed.

As described in the specification of the instant application:

> *"When the customer has finished selecting processing services, option 579 (end button)*
>
> *is selected to indicate the customer is finished. At this time the storage media is erased so*
>
> *as to prevent a later customer from having access to the images stored on a previously*
>
> *rented storage media."*

27. The system described by Masaya is equivalent to that of the instant invent, wherein the

user activates the erasing step *inadvertently* by completing the photofinishing transaction

(drop of media and indicate finishing preferences) with the system (translation abstract).

28. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included a processing system [code] for processing the

digital image data on returned ones of said rented removable digital storage media

including an erasure subsystem for erasure of digital image data thereon; wherein said

erasure subsystem [code] is configured for activation by the customer, as disclosed by

Masaya, in the system disclosed by Cipolla, for the advantage of providing a method of

renting/loaning digital storage equipment with the ability to increase system efficiency

and cost savings by recycling expensive merchandise through multiple loaning cycles.

29. Furthermore, although Cipolla discloses returning the film unit to the user with the

processes data (C13 L10-12), the system of Cipolla is meant to encompass both a film

unit (film) and a digital film unit (memory card); wherein the processed film unit

(negatives) would be returned to the customer/use, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to recycle the digital film unit

(memory of the one-time use camera) for future customer user, as disclosed by Masaya (translated abstract), for the purposes of saving money by recycling the expensive components of the system (Cipolla: C5 L7-13, digital medium – memory card, integrated camera memory).

30. Finally, Cipolla does disclose wherein the system maintains user information in connection with film unit identifier (C9 L27-67); however, neither Cipolla nor Masaya expressly disclose maintenance system [code] for maintaining information associated with the rental and return of returned ones of the removable digital storage media and the customer.

31. Isobe discloses maintaining information associated with the loan and return of the removable digital storage medium (C7 L49-61) and the customer (C5 L1-13, Return; C7 L15-30, Rental) in an automated rental system.

32. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included disclose maintenance system [code] for maintaining information associated with the rental and return of returned ones of the removable digital storage media and the customer, as disclosed by Isobe, in the system disclosed by Masaya, in the system disclosed by Cipolla, for the advantage of providing a method of renting/loaning digital storage equipment with the ability to increase system efficiency/effectiveness by tracking the loaned assets for inventory control and loss prevention purposes.

33. As per Claim 24, Cipolla, Masaya, and Isobe disclose wherein the removable digital storage medium is associated with an identification code (Isobe: C3 L19-32, article number, bar code).

34. As per Claim 25, Cipolla, Masaya, and Isobe disclose wherein the identification code associated with the removable digital storage medium is securely stored on the removable digital storage medium, and is not erased by said processing step (Isobe: C3 L19-22, physically attached bar code).

35. As per Claim 26, Cipolla, Masaya, and Isobe disclose wherein the maintenance system further comprises: an assignment system that assigns an identification code to the removable digital storage medium (Isobe: C3 L19-32, saving article number to database).

36. As per Claim 27, Cipolla, Masaya, and Isobe disclose wherein the maintenance system further comprises: an assignment system that assigns an identification code to the customer; and an association system that associates the identification code of the removable digital storage medium with the identification code of the customer when the customer is lent the removable digital storage medium; and dissociates the identification code of the removable digital storage medium and the identification code of the customer when the removable digital storage medium is received from the customer (Isobe: Renting/Return Process, C4 L51-67, C5 L1-13, C7 L15-30).

37. As per Claims 35, and 53, Cipolla, Masaya, and Isobe disclose wherein the processing step further comprises a producing system for making the digital data contained on the received removable digital storage medium available to the customer (Cipolla: C11 L1-20, Data Processing for the customer).

38. As per Claims 36, and 54, Cipolla, Masaya, and Isobe disclose a transfer system that transfers the digital data contained on the removable digital storage medium received from the customer to another digital storage medium (generating stills – transfer to printer); and a provision system that provides the other digital storage medium containing the transferred data to the customer (Cipolla: C11 L1-20, Data Processing for the customer).

39. As per Claims 39, and 57, Cipolla, Masaya, and Isobe disclose wherein the digital data is digital image data, and wherein the processing step further comprises a print system that prints the digital data contained on the removable digital storage medium received from the customer (Cipolla: C11 L1-20, Generating Prints).

40. As per Claims 41, and 59, Cipolla, Masaya, and Isobe disclose wherein the processing step further comprises the step of verifying the functionality of the received removable digital storage medium (Masaya: Translated Abstract, part of recycling process).

41. As per Claim 43, Cipolla, Masaya, and Isobe disclose wherein the removable digital storage medium is associated with an identification code (Isobe: C3 L19-32, article number, bar code).

42. As per Claim 44, Cipolla, Masaya, and Isobe disclose wherein the identification code associated with the removable digital storage medium is securely stored on the removable digital storage medium, and is not erased in said erasing step (Isobe: C3 L19-22, attached bar code).

43. As per Claim 45, Cipolla, Masaya, and Isobe disclose wherein the code to maintain further comprises code to assign an identification code to the removable digital storage medium (Isobe: C3 L19-32, saving barcode info as article number).

44. As per Claim 46, Cipolla, Masaya, and Isobe disclose code to assign an identification code to the customer; code to assign the identification code of the removable digital storage medium with the identification code of the customer when the customer is lent the removable digital storage medium; and code to dissociate the identification code of the removable digital storage medium and the identification code of the customer when the removable digital storage medium is received from the customer (Isobe: Renting/Return Process, C4 L51-67, C5 L1-13, C7 L15-30).

45. **Claims 9-11, 28-30. 47, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cipolla in view of Masaya, in view of Isobe, and further in view of Zander (US 5,923,906).**

46. As per Claim 9, 28, and 47, while Isobe discloses monitoring rental merchandise by including or removing merchandise identification information from inventory (Isobe: Renting/Return Process, C4 L51-67, C5 L1-13, C7 L15-30); Cipolla, Masaya, and Isobe fail to expressly disclose wherein the maintaining step further comprises: removing the identification code of the removable digital storage medium from inventory of the first rental location when the removable digital storage medium is lent by the first rental location to the customer; and adding the identification code of the removable digital storage medium to inventory of the second rental location when the removable digital storage device is received by the second rental location.

47. However, Zander discloses an automated vending (renting/loaning) system, which

maintains, associates, and transfers merchandise identification data with vending machine

identification data (C8 L27-34, C16 L32-50, C19 L34-38).

48. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included wherein the maintaining step further comprises:

removing the identification code of the removable digital storage medium from inventory

of the first rental location when the removable digital storage medium is lent by the first

rental location to the customer; and adding the identification code of the removable

digital storage medium to inventory of the second rental location when the removable

digital storage device is received by the second rental location, as disclosed by Zander, in

the system disclosed by Isobe, in the system disclosed by Masaya, in the system disclosed

by Cipolla, for the advantage of providing a method of renting/loaning digital storage

equipment with the ability to increase customer reach of the system, and efficiency and

effectiveness of the system, by maintaining, tracking, and balancing inventories over a

multitude of vending sites.

49. As per Claim 10 and 29, Cipolla, Masaya, Isobe, and Zander disclose wherein

information associated with the inventories of the first and second rental locations is

stored in a data store, which is accessible by any of a plurality of rental locations (Zander:

C16 L32-50, Distribution Center).

50. As per Claim 11, 30 and 48, Cipolla, Masaya, Isobe, and Zander wherein the maintaining

step further comprises the steps of: assigning the identification code of a removable

digital storage medium with the identification code of a rental location when the rental

location receives the removable digital storage medium; and disassociating the

identification code of removable digital storage medium from the identification code of a

rental location when the rental location lends the removable digital storage medium

(Isobe: Renting/Return Process, C4 L51-67, C5 L1-13, C7 L15-30).

51. **Claims 12-14, 31-33, and 49-51 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Cipolla in view of Masaya, in view of Isobe, in view of Zander,

and further in view of Jones (US 6,292,213 B1).

52. As per Claim 12, 31, and 49, Cipolla, Masaya, Isobe, and Zander fail to expressly

disclose balancing the inventory of the first and second rental locations.

53. However, Jones discloses a rental system, wherein several rental locations share

inventory to maintain proper levels (C3 L48-67, C4 L1-11).

54. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included balancing the inventory of the first and second

rental locations, as disclosed by Jones, in the system disclosed by Zander, in the system

disclosed by Isobe, in the system disclosed by Masaya, in the system disclosed by

Cipolla, for the advantage of providing a method of renting/loaning digital storage

equipment with the ability to increase system effectiveness and efficiency by ensuring

that product is available at locations for customers to purchase/rent.

55. As per Claim 13, 32, and 50, Cipolla, Masaya, Isobe, Zander, and Jones discloses

wherein the balancing step further comprising the steps of: determining a number of

removable digital storage medium located at each of the first and second rental locations;

and transferring removable digital storage medium from the first rental location to the

second rental location when it is determined that the first rental location has an excess

number of removable digital storage medium and the second rental location has a

deficient number of removable digital storage medium (Jones: C3 L48-67, C4 L1-11,

sharing inventory).

56. As per Claim 14, 33, and 51, Cipolla, Masaya, Isobe, Zander, and Jones disclose wherein

the balancing step further comprising requesting a transfer of removable digital storage

medium from a first rental location by a second rental location when it is determined that

the second rental location has a deficient number of removable digital storage medium

(Jones: C3 L48-67, C4 L1-11, sharing inventory).

57. **Claims 18-19, 37-38, and 55-56 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Cipolla in view of Masaya, in view of Isobe, and further in view

of Shiota et al. (US 6,337,712 B1).

58. As per Claims 18, 37, and 55, Cipolla, Masaya, and Isobe fail to expressly disclose

wherein the processing step further comprises the steps of: uploading the digital data

contained on the removable digital storage medium received from the customer to a

computer server; and providing the customer with access to the computer server.

59. Shiota discloses uploading digital data contained on a removable digital storage medium

received from a customer to a computer server; and providing the customer with access to

the computer server (C6 L30-47).

60. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have included wherein the processing step further comprises the

steps of: uploading the digital data contained on the removable digital storage medium

received from the customer to a computer server; and providing the customer with access to the computer server, as disclosed by Shiota, in the system disclosed by Isobe, in the system disclosed by Masaya, in the system disclosed by Cipolla, for the advantage of providing a method of renting/loaning digital storage equipment with the ability to increase customer service, efficiency, and effectiveness of the system, by supplying the customer with several ways to receive processed digital data.

61. As per Claims 19, 38, and 56, Cipolla, Masaya, Isobe fail to disclose wherein the processing step further comprises emailing the digital data contained on the removable digital storage medium received from the customer to one or more email accounts specified by the customer.

62. Shiota discloses emailing the digital data contained on the removable digital storage medium received from the customer to one or more email accounts specified by the customer (C6 L30-47).

63. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein the processing step further comprises emailing the digital data contained on the removable digital storage medium received from the customer to one or more email accounts specified by the customer, as disclosed by Shiota, in the system disclosed by Isobe, in the system disclosed by Masaya, in the system disclosed by Cipolla, for the advantage of providing a method of renting/loaning digital storage equipment with the ability to increase customer service, efficiency, and effectiveness of the system, by supplying the customer with several ways to receive processed digital data.
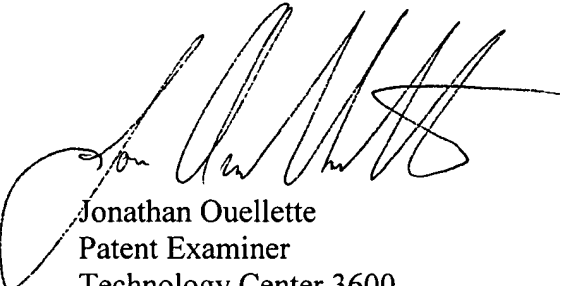
Response to Arguments

64. Applicant's arguments filed 1/13/2006, with respect to Claims 1-20, 22-39, 41-57, and 59, have been considered but are moot in view of the new ground(s) of rejection.

65. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

66. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

67. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

68. Additional Literature has been referenced on the attached PTO-892 form, and the

Examiner suggests the applicant review these documents before submitting any

amendments.

69. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-

6807. The examiner can normally be reached on Monday through Thursday, 8am -

5:00pm.

70. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for

the organization where this application or proceeding is assigned (571) 273-8300 for all

official communications.

71. Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Office of Initial Patent Examination whose telephone number is

(703) 308-1202.

March 22, 2006

Jonathan Ouellette
Patent Examiner
Technology Center 3600